

Commission for Public Complaints Against the RCMP

2010–2011 Estimates

Part III – Report on Plans and Priorities

The Honourable Vic Toews, P.C., Q.C., M.P.
Minister of Public Safety

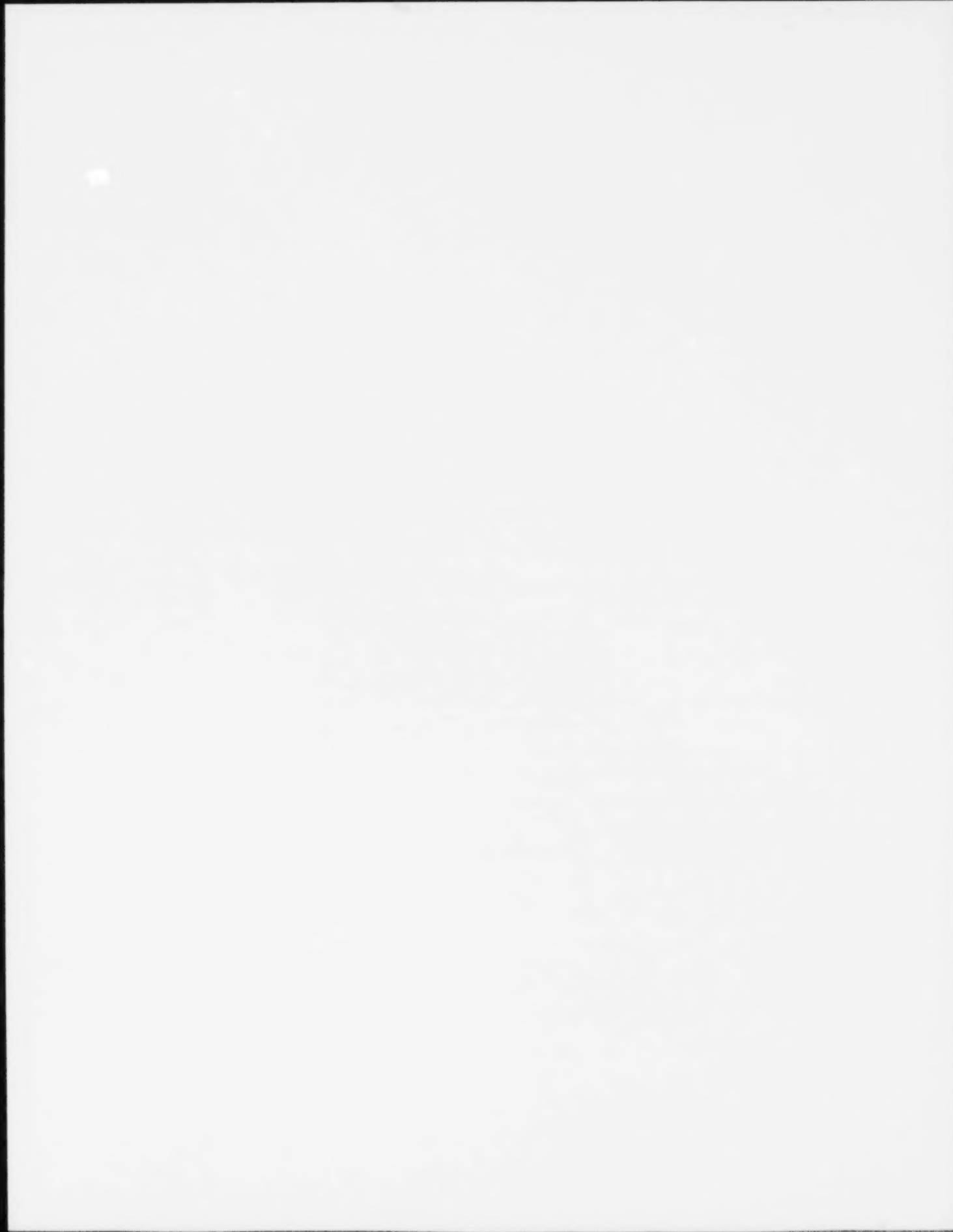
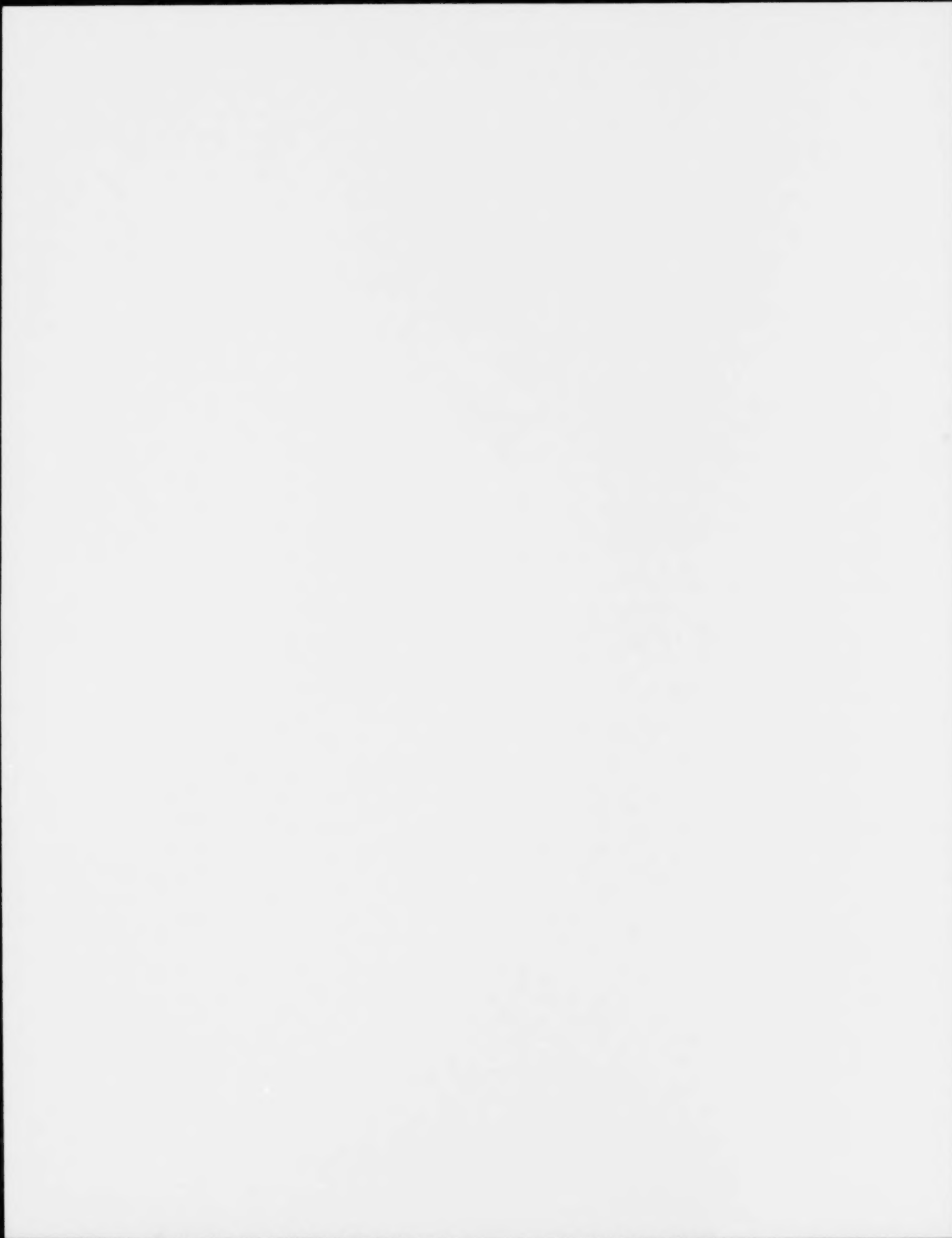


Table of Contents

Chair's Message	1
Section I – Overview	2
1.1 Summary Information	3
Raison d'être: Vision, Mission and Mandate	3
Strategic Outcome	3
1.2 Planning Summary	4
Financial Resources (\$ Thousands)	4
Human Resources (Full-Time Equivalents – FTEs)	4
Contribution of Priorities to Strategic Outcome	5
Risk Analysis	7
Expenditure Profile	10
Voted and Statutory Items	11
Section II – Analysis of Program Activities by Strategic Outcome	12
2.1 Strategic Outcome	13
2.1.1 Program Activity: Civilian review of RCMP members' conduct in the performance of their duties....	13
Program Activity Summary	14
Planning Highlights	15
Benefits for Canadians	15
2.1.6 Program Activity: Internal Services	16
Program Activity Summary & Planning Highlights	16
Section III – Supplementary Information	17
3.1 Other Items of Interest	17



Chair's Message

This Report on Plans and Priorities of the Commission for Public Complaints Against the RCMP (CPC) for 2010–2011 provides an overview of our plans for the next fiscal year.

The CPC will be requesting that the temporary funding received in fiscal year 2009–2010 be renewed for the fiscal year 2010–2011.

The plans and priorities detailed in this document are based on the assumption that our request for temporary funding will be approved. Should this strategy prove to be unsuccessful, the CPC's Departmental Performance Report for 2010–2011 will indicate which of our plans and priorities we were able to accomplish with our current A-base funding.

Ian McPhail, Q.C.
Interim Chair

Section I – Overview

1.1 Summary Information

Raison d'être: Vision, Mission and Mandate

The Commission for Public Complaints Against the RCMP (CPC) is an independent agency and is not part of the Royal Canadian Mounted Police (RCMP). The Commission's fundamental role is to provide civilian review of the conduct of the RCMP members in carrying out their policing duties, thereby holding the RCMP accountable to the public. This public accountability is not only essential in helping ensure that police officers exercise their considerable authority legally and appropriately but is also a structured response by the government to address a challenging and evolving public safety environment. The CPC has the authority to make findings and recommendations, but cannot impose discipline or make monetary awards to complainants.

Vision

Excellence in policing through accountability.

Mission

To provide civilian review of RCMP members' conduct in performing their policing duties so as to hold the RCMP accountable to the public.

Mandate

The mandate of the CPC is set out in Part VII of the *RCMP Act* and can be summarized as follows:

- to receive complaints from the public about the conduct of RCMP members;¹
- to initiate complaints to delve into RCMP conduct when it is in the public interest to do so;
- to conduct reviews when complainants are not satisfied with the RCMP's handling of their complaints;
- to hold hearings and conduct investigations; and
- to report findings and make recommendations.

Strategic Outcome

In order to effectively pursue its mandate, the CPC aims to achieve the following strategic outcome:

RCMP members are held publicly accountable for their conduct in the performance of their duties.

¹ Note: The term "members" as used in this document includes all persons appointed under the *RCMP Act*, i.e. both regular and civilian members of the RCMP.

1.2 Planning Summary

Financial Resources (\$ Thousands)

2010-2011	2011-2012	2012-2013
5,388	5,397	5,397

The financial resources table above provides a summary of the total approved planned spending for the Commission for Public Complaints Against the RCMP for the next three fiscal years. The CPC will be requesting an additional \$2,954 (thousands) in temporary funding for 2010-2011.

Human Resources (Full-Time Equivalents – FTEs)

2010-2011	2011-2012	2012-2013
40	40	40

The human resources table above provides a summary of the total approved planned human resources for the Commission for Public Complaints Against the RCMP for the next three fiscal years. The funding we are requesting will support an additional 19 FTEs.

Strategic Outcome 1: RCMP members are held publicly accountable for their conduct in the performance of their duties.					
Performance Indicators		Targets			
Recommendations accepted by the RCMP and have been implemented.		100%			
Program Activity	Forecast Spending 2009-2010 (\$ Thousands)	Planned Spending (\$ Thousands)			Alignment to Government of Canada Outcomes
		2010-2011	2011-2012	2012-2013	
Civilian review of RCMP members' conduct in the performance of their duties	5,371	3,299	3,308	3,308	Social Affairs Safe and Secure Communities
Internal Services	3,362	2,089	2,089	2,089	
Total Planned Spending	8,733	5,388	5,397	5,397	

Contribution of Priorities to Strategic Outcome

Operational Priorities	Type	Links to Strategic Outcome	Description
Increase public awareness of the role and services of the CPC	On-going	SO 1	Why is this a priority? - The CPC must provide a service that is open and accessible to the communities it serves. - The CPC will continue its outreach efforts to Aboriginal communities, newly-arrived immigrants and other citizens who for cultural, linguistic or literacy-related reasons are less likely to know about or avail themselves of the public complaint process. Plans for meeting the priority? - Ensure that its Internet site can serve as a resource for all interested parties including RCMP officers, members of the public, academics and other police review bodies. - Improve communications of its high profile investigations and reports, exemplary policing practices as well as adverse findings and recommendations in relation to complaints. - Continue to provide basic information in languages other than English or French to ensure that clients understand the complaint process.
Strengthen the complaint and review processes	On-going	SO 1	Why is this a priority? - To better identify complaint trends and recommend remedial action. - To process the complaints and reviews within the established timeframes given the significant increase for both services. - To provide assurance to the public that investigations currently conducted by the RCMP on its own high profile cases such as deaths in RCMP custody are impartially carried out. Plans for meeting the priority? - Track all complaints received whether lodged with the RCMP, the Commission or a provincial authority. - Maintain the additional staff that have been hired in the last two years with interim funding to manage the increasing numbers of complaints and reviews. - Implement a new Case Management System in order to capture all relevant information into one database. - Continue with the successful Independent Observer Program in 2010–2011 in B.C. - Continue to undertake Chair-initiated complaints in relation to high profile incidents.
Improve the relevance of review recommendations and identify complaint trends	On-going	SO 1	Why is this a priority? - As custodians of the public complaint process and pursuant to the provisions of the <i>RCMP Act</i>, one of our goals is to identify opportunities to strengthen police accountability and effect change within the entire complaint system. Plans for meeting the priority? - The CPC plans to continue the Review of the Record Project that examines all RCMP complaint dispositions—not merely those where a complainant had requested a review by the CPC.

			• Conduct trends analysis as well as generate specialized reports.
Management Priorities	Type		Description
Support management excellence	On-going	SO 1	Why is this a priority? • With the recent expansion of resources over the last two years due to interim funding, it is important that the CPC maintain and improve its management practices, controls and infrastructure. Plans for meeting the priority? • Continue to monitor the CPC Code of Conduct and provide information sessions to staff (new and existing) to promote respect in the workplace. • Provide training sessions to existing and new employees and managers on internal practices with respect to human resources and financial delegation. • Continue to monitor business practices based on the Management Accountability Framework evaluation criteria and assessments.
Maintain a workplace of choice	On-going	SO 1	Why is this a priority? • As a micro-agency, the CPC is more heavily impacted by staff turnover, which can have a significant effect on productivity and service to the public. Plans for meeting the priority? • Continue to develop individual training plans for staff. • Develop an integrated human resources business plan on a yearly basis given our current interim funding situation.

Risk Analysis

In recent years, the world has had to deal with dramatic challenges. While community safety and security issues are not new to our country, the government's focus on and commitment to resolving them has intensified. The current government has made building safer communities one of its key priorities.

The RCMP within Canada plays a key role in building safer communities. The environment in which police discharge their responsibilities has undergone significant change since the creation of the CPC over 20 years ago. The RCMP is unique in that it is one of the very few police services in the world that is present at all three levels of government. While serving as the national police force, it also is the provincial police force in eight provinces and is the municipal police force in over 200 municipalities, some of which have a population base in excess of 400,000 persons. It is also the police force of jurisdiction for over 600 First Nations communities.

Some of the key factors that will influence the direction of the CPC in the next few years were considered in the setting of its priorities and assessing the risks it faces to achieving its objectives. It is important to recognize that these factors are complex and that many are linked.

External Context

The CPC's clients are increasingly diverse in terms of their cultures, beliefs, values, attitudes and language. In addition to cultural diversity, there is also an urban-rural divide characterized by distinctly different beliefs, values and attitudes. It is a challenge for a small organization with offices in the National Capital Region and Surrey, B.C. to influence and understand diverse communities locally and across the country. Notably, there is also a disproportionate number of Aboriginal people involved in the justice system.

The public's expectations are evolving regarding what police oversight should be and what powers bodies should have. It continues to be a challenge to manage and respond to varying and sometimes conflicting expectations. Moreover, provincial policing oversight organizations have differing powers and resource levels than the CPC and, in general, have more up-to-date legislative frameworks. In fact, the RCMP Commissioner, William Elliott, has been very supportive of proposals to enhance the role of independent review of the RCMP, maintaining that the more credible the review system is, the more credible the RCMP can be, which is essential to the ability of Canadians to put their trust in his organization.

In addition, external review has generally been restricted to discipline and public complaints. Public concern with the police investigating the police has given rise to calls for external investigations of allegations of serious misconduct that may attract liability. This response also calls into question how to improve the linkages between criminal investigations of police conduct, discipline and public complaint processes.

Policing

Crime and criminals are continuing to grow in sophistication and criminal activity has become more global in nature. Policing technologies and techniques have evolved as well and police are required to interact with an expanding network of police forces worldwide. As well, there is an increasing range of police conduct not subject to review with the advent of new legislation and police practices.

Within the police community, there are varying levels of awareness of diversity issues and varying levels of skill in dealing with them. Certain realities face today's RCMP: a high number of new recruits, a high rate of turnover, a high number of baby boomers retiring, experienced members leaving the force for a variety of reasons, and a lack of resources have resulted in the inadequate mentoring of new members, understaffing of detachments, and morale issues.

Government

Even in times of economic uncertainty, the government's priorities include a continued emphasis on ensuring that the justice system is working effectively and that Canadians are safe. This will continue to present a challenge to the CPC and to the government with respect to finding the right balance between the level of policing and the level of review in terms of both resources and powers.

Other events having an impact on the CPC include the results of the *O'Connor Commission's* review, the *Air India Inquiry* and the report of the *Task Force on Governance and Cultural Change in the RCMP*. The CPC welcomes the policy work that is currently underway at Public Safety Canada regarding an enhanced civilian review mechanism for the RCMP.

Key Risks

In addition to the external context that the CPC operates in, it faces risks that could impact on its ability to achieve its mandate. As part of the planning process, a risk assessment is conducted and appropriate actions to mitigate risks are identified. Risks and related mitigation strategies are also regularly discussed at senior management committee meetings. The CPC has identified a number of risks that have the potential to impede progress made towards the achievement of its strategic outcome and expected results. The primary risks and our efforts to mitigate them include the following:

1. Insufficient funding to complete activities within current mandate

Strategy: The CPC will seek out additional interim funding in order to meet the current demands of its existing mandate. It has prepared a business case for continuation of the interim funding which it had received twice—December 2007 (16 months) and April 2009 (12 months). If the funds are not received, the Commission will complete its integrated human resources business plan to manage within its current A-base (40 FTEs from 59 FTEs). Some key impacts include: limiting outreach activities, limiting Chair-initiated complaints, limiting the Independent Observer Program, jeopardizing service standards for processing both complaints and reviews, and limiting resources to conduct trend analysis of the complaints system.

2. Surge of complaints, reviews and/or special investigations

The CPC has no control over its day to day workload. Last year, the number of complaints received increased by 34.5%. The CPC has observed an increase in the level of sophistication and complexity of the issues raised in both the complaints lodged against the RCMP as well as with review cases. The CPC can also not predict the number of serious high profile confrontations between the RCMP and citizens which might warrant a Chair-initiated complaint.

Strategy: Request additional interim funding to allow the CPC to handle any surges in requests for complaints and/or reviews through prioritization and reallocation of resources.

3. The CPC is a micro-agency which faces the same recruitment and retention challenges for highly specialized employees as other government departments. In addition, it faces a number of unique challenges:
- a) A third of its current staff complement is resourced through temporary funding.
 - b) The small size of the organization limits opportunities for advancement.
 - c) Many positions are "one-deep" requiring the CPC to recruit, train and retain staff with a wide scope of duties and responsibilities.

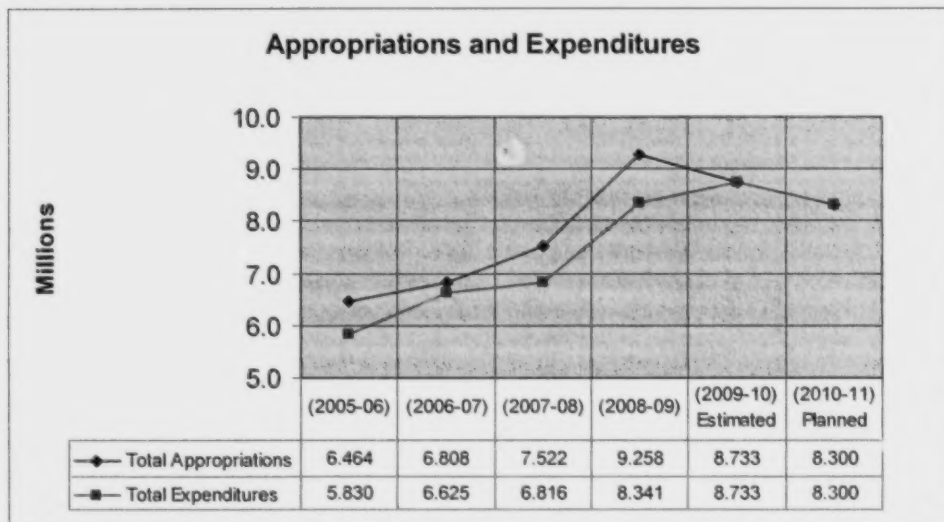
Strategy: These challenges make recruitment and retention of employees a high risk for the CPC. It continues to take steps to mitigate this risk, namely:

- a) It developed and has maintained an integrated human resources business plan that includes succession planning, student hiring and bridging, competitive processes for terms and indeterminate positions, and the creation of pools for its senior review analysts and complaints analysts.
- b) It established a supply arrangement for investigative services to handle additional workload or specialized cases.
- c) It continues to prioritize creating a workplace of choice; it undertakes staff surveys to identify strengths and weaknesses, continues to promote a Pride and Recognition program and established a Code of Conduct for employees.

Expenditure Profile

In order to meet the expected results of its program activities and contribute to its strategic outcome in fiscal year 2010–2011, the CPC plans to spend a total of \$8.3M including EBP (\$5.4M in on-going funding and \$2.9M in interim funding). In the fall of 2009, the CPC developed a business case to support its request for interim funding to continue the work previously funded and to meet increased workloads. Should this strategy prove to be unsuccessful, the CPC's Departmental Performance Report for 2010–2011 will indicate which of its plans and priorities it was able to accomplish with its current A-base funding.

The chart below illustrates the CPC's financial resources trend from 2005–2006 to 2010–2011 (includes EBP but excludes accommodation charges).



From 2005–2006 to 2007–2008 the CPC received additional funding for the Kingsclear public interest investigation. In the last quarter of fiscal year 2007–2008, the CPC received 16 months of program integrity funding. The program integrity funding was renewed in fiscal year 2009–2010. The program integrity funding allowed the CPC to fulfill its mandate, which could not previously be addressed given its limited on-going funding. These activities included community outreach, increased resources to meet workload demands, as well as streamlining the complaint and review processes, which will continue to be advanced if the CPC receives its interim funding for fiscal year 2010–2011.

Voted and Statutory Items

This table illustrates the way in which Parliament approved CPC resources, and shows the changes in resources derived from supplementary estimates and other authorities.

Vote # or Statutory Item (S)	Truncated Vote or Statutory Wording	<u>2009-2010 Main Estimates</u> (\$ thousands)	<u>2010-2011 Main Estimates</u> (\$ thousands)
70	Program expenditures	7,886	4,830
(S)	Contributions to employee benefit plans	847	558
	Total	8,733	5,388

Section II – Analysis of Program Activities by Strategic Outcome

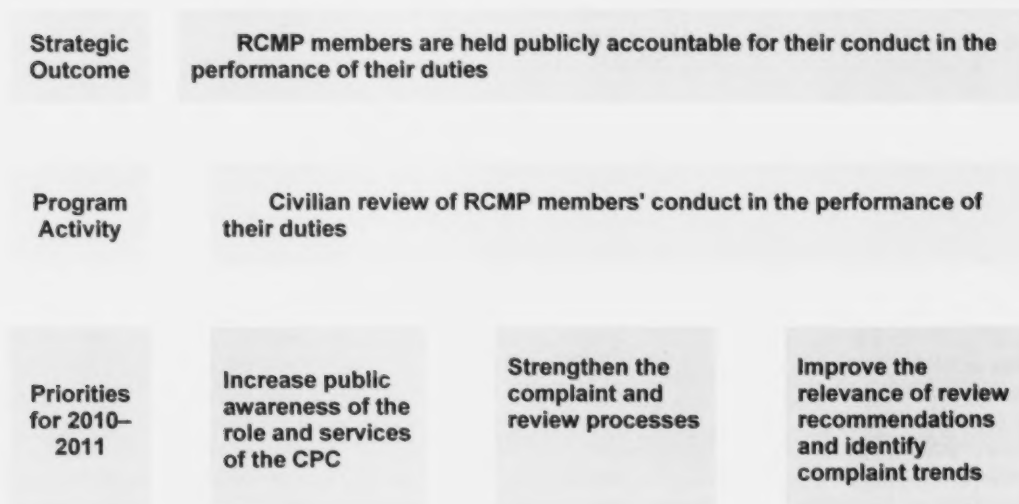
2.1 Strategic Outcome

RCMP members are held publicly accountable for their conduct in the performance of their duties.

The following section describes the CPC's sole program activity and the result it is trying to achieve, performance indicators and targets. This section also explains the priorities that the CPC has set for 2010–2011 and how it plans to achieve the expected results, and presents the financial and non-financial resources it plans to use to achieve results.

2.1.1 Program Activity: Civilian review of RCMP members' conduct in the performance of their duties.

The following graphic outlines the CPC's Program Activity Architecture and the priorities it has set for 2010–2011.



Program Activity:					
Civilian review of RCMP members' conduct in the performance of their duties					
Human Resources (FTEs) and Planned Spending (\$ Thousands)					
2010–2011		2011–2012		2012–2013	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
28	3,299	28	3,308	28	3,308
Program Activity Expected Results		Performance Indicators		Targets	
Improve access to and openness of the public complaint process.		The percentage of complaints received from the public directly by the Commission is increased.		Annual increase of 5%	

Program Activity Summary

The CPC is an independent federal agency established in 1988 to receive and review public complaints about the conduct of RCMP members in a fair and impartial manner. The CPC strives to achieve the above Strategic Outcome with a single program activity: civilian review of RCMP members' conduct in the performance of their duties.

The CPC holds the RCMP accountable to the public by providing, at the request of complainants, an independent review of the RCMP's disposition of complaints and by making recommendations to the RCMP Commissioner. Much of the Commission's work continues to centre on providing direct service to Canadians concerned about the actions of the RCMP.

The CPC responds to the needs of the public by providing a number of options for the processing of any concerns. A member of the public contacting the CPC will normally be provided with same-day access to an experienced analyst who will listen to their concerns, assess what they would like to achieve, and identify an appropriate process that will meet their objectives.

When reviewing a complaint, the CPC does not act as an advocate either for the complainant or for RCMP members. Rather, its role is to conduct an independent inquiry and reach objective conclusions based on the information available. In conducting its review, the CPC considers all relevant information provided by the complainant and the RCMP.

If the Chair is not satisfied with the RCMP's handling of a complaint, the CPC will issue an interim report of its findings and recommendations; after the RCMP Commissioner replies to this interim report, a final report is forwarded to the Minister of Public Safety, to the RCMP Commissioner and to all parties. Alternatively, if the Chair concludes that the RCMP responded adequately to the complainant's concerns, a final report is delivered stating that the RCMP's handling of the complaint was satisfactory.

The Chair also has the authority to hold a public interest hearing to inquire into a complaint. The ability to self-initiate such a review allows the CPC to broaden its scope of review beyond what may have been articulated by individual complainants, leading to the identification of systemic issues that may not otherwise be adequately explored. The Chair reports his findings and any recommendations for action stemming from a Chair-initiated complaint to the Commissioner of the RCMP and to the Minister of Public Safety.

Planning Highlights

In order to achieve the expected result, assuming that it will be successful in obtaining the requested interim funding, the CPC has set the following priorities and plans to undertake the following activities:

1. Increase public awareness of the role and services of the CPC

The CPC will continue its outreach to stakeholders and marginalized populations, such as First Nations, Métis and Inuit communities, newly-arrived immigrants and other under-represented citizens who for cultural, linguistic or literacy-related reasons are less likely to know about or avail themselves of the public complaints process. It also will continue to improve its website to encourage use and ensure its relevance among priority groups. In 2010–2011, the CPC will also continue to enhance its media relations efforts.

2. Strengthen the complaint and review processes

The CPC will endeavour, in the face of increasing workloads levels, to continue to meet its service standards and enhance efficiencies within the complaint and review processes. It plans to continue the successful Independent Observer Program. The CPC will continue to collaborate more closely with the provinces, territories, RCMP and stakeholders regarding common interests.

3. Improve the relevance of review recommendations and identify continuing, emerging and new complaint trends

The CPC is working to identify complaint trends and make recommendations for changes to national policing policy. In 2010–2011, the CPC will continue the Review of the Record Project to understand the nature of and trends within public complaints and police/public interactions and make recommendations for changes in national policing policy, training and behaviours. The CPC will continue to foster greater collaboration among domestic and international police review bodies, governments, academics and stakeholders. The CPC will maintain the tracking of actions taken by the RCMP on its key recommendations.

Benefits for Canadians

Safe and secure communities are a defining characteristic of the Canadian way of life and Canadians are rightly proud of that tradition of community safety and security. Canadians deserve to live in a just society, to have faith in their justice system, and to be protected against violence and criminal acts.

The CPC provides civilian oversight of RCMP members' conduct in performing their policing duties so as to hold the RCMP accountable to the public. Its job is to help find and shape a balance between individual rights and collective security.

The Commission makes a significant contribution to protecting citizens by building safer and healthier communities and its work is an essential component of the government's commitment to strengthen the security of Canadians. Canadians must have confidence in their national law enforcement agencies. The CPC's oversight ensures that this confidence, faith and trust is well-placed.

2.1.6 Program Activity: Internal Services

Financial Resources (\$ thousands)		
2010-2011	2011-2012	2012-2013
2,089	2,089	2,089

Human Resources (Full-Time Equivalents)		
2010-2011	2011-2012	2012-2013
12	12	12

Program Activity Summary & Planning Highlights

Internal Services

Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. These groups are: Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Material Services; Acquisition Services; and Travel and Other Administrative Services. Internal Services include only those activities and resources that apply across an organization and not to those provided specifically to a program.

The CPC must comply with the same central agency expectations and requirements (comptrollership, management and accountability systems, security, etc.) as do medium and larger departments that enjoy substantial specialized resources in the fields of planning, IT, human and financial resources, and evaluation. The compelling responsibilities require the CPC to identify, train and retain corporate staff with a wide scope of duties and responsibilities. This takes a heavy toll on human and financial resources. The CPC has set the following priority for internal services:

SUPPORT MANAGEMENT EXCELLENCE AND MAINTAIN A WORKPLACE OF CHOICE

The CPC will continue to ensure that a modern human resources management regime is in place and will support effective labour-management relations that provide opportunities for professional and leadership development. The CPC, guided by the MAF assessment, will continue to enhance and improve its management practices in order to achieve management excellence.

Section III – Supplementary Information

3.1 Other Items of Interest

 <http://www.cpc-cpp.gc.ca/>

